

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

NEW ENGLAND CARPENTERS HEALTH
BENEFITS FUND, PIRELLI ARMSTRONG
RETIREE MEDICAL BENEFITS TRUST,
TEAMSTERS HEALTH & WELFARE FUND
OF PHILADELPHIA AND VICINITY,
PHILADELPHIA FEDERATION OF
TEACHERS HEALTH AND WELFARE FUND,
and DISTRICT COUNCIL 37 HEALTH &
SECURITY PLAN,

Plaintiffs,

v.

FIRST DATABANK, INC., a Missouri
Corporation; and McKESSON CORPORATION,
a Delaware Corporation,

Defendants

Case No. 1:05-CV-11148-PBS

**JOINT MOTION TO RESCHEDULE MEDIATION CONFERENCE BEFORE
MAGISTRATE JUDGE HILLMAN**

Plaintiffs and Defendant McKesson Corporation (“McKesson”) jointly move the Court to reschedule the mediation conference currently set for October 31, 2006. In support of this motion, the parties state as follows:

On September 27, 2006, Magistrate Judge Hillman issued a Notice of and Order Regarding Mediation setting the mediation conference for October 31, 2006 at 10:00 a.m. Plaintiffs and McKesson believe that mediation at this time is premature. Since May 31, 2006, when the parties requested an October 2006 mediation date, the schedule for this case has been modified and the events that the parties expected to complete by late October have not occurred.

Specifically, the parties originally expected that class discovery and briefing would be completed by late October in preparation for a November 2006 hearing on the class motion. Due to the unavailability of plaintiffs' expert and counsel resulting from a related case, the schedule was modified. Thus, the parties are in the midst of discovery and briefing on the class certification motion and will not complete class briefing until March 2007.

For the foregoing reasons, plaintiffs and McKesson respectfully request the Court for an order rescheduling the mediation currently set for October 31, 2006. Consistent with the originally contemplated schedule, the parties request that the mediation be set on a date after the class certification motion has been fully briefed, in late March 2007 or on another date convenient for the Court.

Dated: October 6, 2006

Respectfully submitted,

NEW ENGLAND CARPENTERS HEALTH
BENEFITS FUND, PIRELLI ARMSTRONG
RETIREE MEDICAL BENEFITS TRUST,
TEAMSTERS HEALTH & WELFARE FUND
OF PHILADELPHIA AND VICINITY,
PHILADELPHIA FEDERATION OF
TEACHERS HEALTH AND WELFARE
FUND, and DISTRICT COUNCIL 37
DISTRICT COUNCIL 37 HEALTH &
SECURITY PLAN

MCKESSON CORPORATION

By their counsel:

/s/ Steve W. Berman

Steve W. Berman
Hagens Berman Sobol Shapiro LLP
1301 Fifth Avenue, Suite 2900
Seattle, WA 98101
Telephone: (206) 623-7292
Facsimile: (206) 623-0594

Thomas M. Sobol (BBO#471770)

By its counsel:

/s/ Lori A. Schechter

Lori A. Schechter
Morrison & Foerster LLP
425 Market Street
San Francisco, CA 94105-2482
Telephone: (415) 268-7000
Facsimile: (415) 268-7522

Hagens Berman Sobol Shapiro LLP
One Main Street, 4th Floor
Cambridge, MA 02142
Telephone: (617) 482-3700
Facsimile: (617) 482-3003

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party through the Court's electronic filing service on October 6, 2006.

/s/ Lori A. Schechter
Lori A. Schechter

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

NEW ENGLAND CARPENTERS HEALTH
BENEFITS FUND, PIRELLI ARMSTRONG
RETIREE MEDICAL BENEFITS TRUST,
TEAMSTERS HEALTH & WELFARE FUND
OF PHILADELPHIA AND VICINITY,
PHILADELPHIA FEDERATION OF
TEACHERS HEALTH AND WELFARE FUND,
and DISTRICT COUNCIL 37 HEALTH &
SECURITY PLAN,

Plaintiffs,

v.

FIRST DATABANK, INC., a Missouri
Corporation; and McKESSON CORPORATION,
a Delaware Corporation,

Defendants

Case No. 1:05-CV-11148-PBS

**[PROPOSED] ORDER GRANTING JOINT MOTION TO RESCHEDULE
MEDIATION CONFERENCE BEFORE MAGISTRATE JUDGE HILLMAN**

THIS MATTER is before the Court on the joint motion of Plaintiffs and Defendant McKesson Corporation to reschedule the mediation conference currently set for October 31, 2006. The Court, having considered all submissions in support and in opposition thereto, and being fully advised in the premises, hereby

GRANTS the motion to reschedule the mediation conference from October 31, 2006 to

_____, 2007.

IT IS SO ORDERED.

DATED: _____

Hon. Timothy S. Hillman
United States District Court Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party through the Court's electronic filing service on October 6, 2006.

/s/ Lori A. Schechter
Lori A. Schechter